



333 EARLE OVINGTON BLVD, STE 402
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MEMO ENDORSED

The Application is granted.

SO ORDERED:

A handwritten signature in black ink that reads 'Paul G. Gardephe'.

Paul G. Gardephe, U.S.D.J.

Dated: May 1, 2023

April 25, 2023

VIA ECF

Honorable Paul G. Gardephe
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Martinka v. First Power Media Group LLC, 1:23-cv-1061 (PGG)

Dear Judge Gardephe:

We represent Plaintiff Paul Martinka ("Plaintiff") in the above-captioned case and write pursuant to Section I.E. of Your Honor's Individual Rules of Practice to respectfully request, *ex post facto*, a 7-day extension of time to file a motion for default judgment through **May 1, 2023**.

- (1) the original deadline was April 24, 2023 [Dkt. #14]
- (2) Plaintiff seeks a one week extension, through May 1, 2023;
- (3) This is the first request for an extension;
- (4) Unfortunately, Plaintiff missed the original April 24, 2023 deadline to file its application for default and respectfully submits that both counsel of record for Plaintiff were intensely occupied from April 10 through April 19, 2023 in a trial in the Eastern District of New York, and neglected to calendar the Court's original deadline when it posted on April 11, 2023.
- (5) Defendant has yet to appear and therefore neither consents to nor opposes the request.

No other dates will be impacted. We thank the Court for its consideration.

Respectfully Submitted,

s/jameshfreeman/
James H. Freeman

Counsel for Plaintiff



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